

**IN THE UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF
MARYLAND**

UNITED STATES OF AMERICA

v.

*** No. 16-cr-0051-03-CCB**

ANTONIO SHROPSHIRE

MOTION TO CONTINUE TRIAL

Antonio Shropshire, through counsel, moves this Honorable Court to continue the trial in this case. Trial is scheduled to begin on October 16, 2017. In support he states the following.

PROCEDURAL BACKGROUND

1. Mr. Shropshire has been charged in a third superseding indictment along with five other individuals. He is charged as follows: Count One charges Conspiracy to Distribute and Possess with Intent to Distribute Heroin, in violation of 21 U.S.C. § 846; Count Three charges Possession with Intent to Distribute and Distribution of Heroin, in violation of 21 U.S.C. § 841(a)(1); Count Seven charges Possession with Intent to Distribute Heroin and Cocaine, in violation of 21 U.S.C. § 841(a)(1).

2. Mr. Shropshire was arrested and had his initial appearance on November 30, 2016. He was initially represented by Teresa Whalen who, on December 21, 2016, filed to withdraw as counsel. On February 3, 2017, Joseph Murtha was appointed to

represent the defendant. On April 7, 2017, Mr. Murtha filed to withdraw as counsel. On April 17, 2017, Christopher Davis was appointed.

3. Motions were due on April 24, 2017 and the motions hearing was held on May 23, 2017. At the request of Mr. Shropshire, a Motion for Review of Detention Order was filed on June 10, 2017 and the motion was denied on June 27, 2017.

4. On July 13, 2017, Mr. Shropshire requested that new counsel be appointed. Alfred Guillaume was appointed and entered his appearance on July 27, 2017.

OUTSTANDING DISCOVERY AND LEGAL ISSUES

5. Requests have been made for the specific identities of the overdose victims for which the government intends to hold Shropshire accountable at trial. It has also been requested that the government provide discovery concerning that evidence. To date, there has been no response from the government. On August 8, 2017, a Motion in Limine to exclude evidence of Shropshire's connection to any alleged overdoses was filed. [ECF # 208] To date, the government has not responded.

6. Mr. Murtha, during the course of his representation of Mr. Shropshire, reviewed the Title III discovery and determined there was no basis to file a motion to suppress. Mr. Shropshire, on the other hand, became quite adamant that a motion be filed. A Motion to Suppress Title III Evidence was filed on August 23rd. [ECF # 215] To date, the government has not responded to that motion.

7. Mr. Shropshire has two prior drug convictions. One of the convictions

became final during the time period of the alleged conspiracy. He potentially faces life without parole if the government files for enhancement pursuant to 21 U.S.C. § 851. Counsel for the government has yet to advise defense counsel if it will seek an enhanced penalty and if so, based on one or two convictions.

8. An informal plea offer was extended to Shropshire on July 3, 2017. It was to Count 1 of the pending indictment and was based on a career offender guideline range.¹ Now, the government has advised Shropshire that he no longer has any plea offer.

REASONS FOR CONTINUANCE

9. Since his appointment, Mr. Guillaume has met with Mr. Shropshire on two occasions. The defendant is a very hands-on client who insists on having very active involvement in his case. In addition, Mr. Guillaume needs time to review the voluminous discovery in this case. Also, as noted above, Shropshire still has not been advised what overdose evidence will be introduced at trial, despite having requested this information on several occasions. Once he is advised, discovery pertaining to this evidence must be produced and reviewed by counsel. Finally, there remains outstanding legal issues that must be resolved before trial.

10. Counsel for all co-defendants consent to the request extension.² Indeed, counsel for co-defendant Wells, Marshal Henslee, just entered his appearance on August 16, 2017.

¹ As stated in paragraph 7, it is not entirely clear that Shropshire qualifies for career offender treatment.

² Counsel for Mr. Washington consented to the continuance subject to approval by his client.

11. Trial is currently scheduled to begin on October 16, 2017. Defendant is fully aware of the disruption that will be caused by a continuance. But in order to provide effective assistance of counsel, it appears necessary to request a short continuance to January 2018.

Wherefore, Mr. Shropshire respectfully moves this Court to grant this motion.

Respectfully submitted,

/s/ _____
Alfred Guillaume, III

Law Offices of Alfred Guillaume III LLC
14450 Old Mill Rd.
Suite 301
Upper Marlboro, MD 20772
(301) 377-2158

/s/ _____
Christopher M. Davis #23441

Davis & Davis
1350 Connecticut Avenue, NW Suite 202
Washington, DC 20036
(202) 234-7300

Counsel for Antonio Shropshire

CERTIFICATE OF SERVICE

I hereby certify that this Motion was served upon all counsel of record via the Court's CM/ECF system on this 6th day of September 2017.

/s/ _____
Christopher M. Davis